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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/791,502	03/02/2004	Fred R. Kramer	07763-057001

CONFIRMATION NO. 1896

26211  
 FISH & RICHARDSON P.C.  
 45 ROCKEFELLER PLAZA, SUITE 2800  
 NEW YORK, NY 10111

## FORMALITIES LETTER



\*OC000000012923533\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

08/10/2004 AADD01 00000060 10791502

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65.00 OP

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

N. Mohammed  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Box SER  
/ \$



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fred R. Kramer, et al.  
Serial No. : 10/791,502  
Filed : March 2, 2004  
Title : OPTICALLY DECODABLE MICROCARRIERS, ARRAYS AND METHODS

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed June 14, 2004 (copy enclosed), applicants claim small entity status (see 37 CFR 1.27) and submit herewith the following:

- ☒ Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- ☒ A check in the total amount of \$65 is attached;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63 (3 pages);
- ☒ A Preliminary Amendment (4 pages);
- ☒ Replacement Figure 3 (1 sheet);
- ☒ A Verified Statement under 37 C.F.R. § 1.821(f) (1 page);
- ☒ A paper copy of the Sequence Listing (3 pages); and
- ☒ A computer-readable copy of the Sequence Listing (1 diskette).

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

August 6, 2004  
Jennifer Marzotas  
Jennifer Marzotas

Applicant : Fred R. Kramer, et al.  
Serial No. : 10/791,502  
Filed : March 2, 2004  
Page : 2 of 2

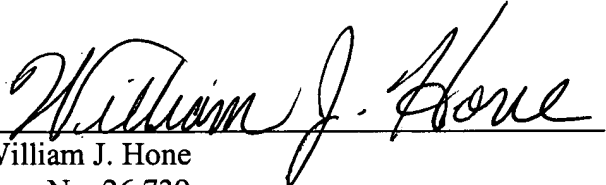
Attorney's Docket No.: 07763-057001

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket no. 07763-057001.

Respectfully submitted,

Date: \_\_\_\_\_

5/6/04

  
\_\_\_\_\_  
William J. Hone  
Reg. No. 26,739

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